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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/500,081

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Bong Su Um

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09/04/2009

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EXAMINER

KISWANTO, NICHOLAS

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

09/04/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/500,081	<b>Applicant(s)</b> UM ET AL.	
	<b>Examiner</b> NICHOLAS KISWANTO	<b>Art Unit</b> 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This Action is in response to RCE dated 6/18/2009.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 and 7-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Ito et al. (6,249,740).

As to claim 1, Ito shows a navigation system that has a transceiver 108, a display unit 106, an input unit 105, and an ECU 101. Ito's system requests an optimum path or shortcut path data (col 11, line 38 – 41) over a wireless network (Fig. 1). Said path data includes deviation-expected paths (col 22, line 20 – 28) calculated from one or more deviation points (col 25, line 3 – 5) between the departure point and the destination. Ito shows that the deviation-expected paths are precalculated and stored in memory before the mobile object deviates from the navigation path, and selecting revised path data which represent the revised navigation path, among the one or more precalculated deviation-expected paths stored in the memory to thereby provide the revised navigation path to the display unit after a present position of the mobile object deviates from the navigation path (*column 21, line 53 to column 22, line 49 describes the "Second Modification" to*

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*the specified invention, namely the process of precalculating deviation expected paths and storing said paths in memory before the mobile object deviates from the path and providing the updated path after the mobile object deviates so that said object can still arrive at the destination. Column 22, line 10-11 state that the process for this Second Modification may be carried out between Steps S61 and S62 of the flow chart in Figure 12. Column 20, lines 25-31 state that the flow chart in Figure 12 corresponds to step S6 in the flow chart of Figure 3. As can be seen in Figure 3, the entirety of the process, which includes calculating and storing the initial short-cut path and all the deviation-expected paths, takes place before the mobile objects departs).*

As to claim 2, Ito further shows a device for measuring the current position of the vehicle 104.

As to claim 3, Ito further shows both a video display 106, and a voice output unit 107.

As to claim 4, Ito further shows the ECU determining whether any of the deviation expected paths includes the current position (col 25, line 52 – 55).

As to claim 5, Ito further shows a memory 103 that stores all data and can transmit to any component of the system.

As to claim 7, Ito further shows a method for navigating a mobile object (col 2, line 63) traveling from a departure point and destination (col 11, line 40 – 41), comprising the steps of transmitting a signal 108 requesting a path data from departure point to destination, receiving path data via a wireless network (Fig. 1), displaying 106 navigation path from path data, precalculating deviation expected path data (col 22, line 20 – 28), selecting revised path data among deviation expected path data in case mobile object deviates from navigation path (col 22, line 16 – 22), and displaying revised navigation path (col 22, line 3).

Ito shows that the deviation-expected paths are precalculated and stored in memory before the mobile object deviates from the navigation path, and selecting revised path data which represent the revised navigation path, among the one or more precalculated deviation-expected paths stored in the memory to thereby provide the revised navigation path to the display unit after a present position of the mobile object deviates from the navigation path (*column 21, line 53 to column 22, line 49 describes the "Second Modification" to the specified invention, namely the process of precalculating deviation expected paths and storing said paths in memory before the mobile object deviates from the path and providing the updated path after the mobile object deviates so that said object can still arrive at the destination. Column 22, line 10-11 state that the process for this Second Modification may be carried out between Steps S61 and S62 of the flow chart in Figure 12. Column 20, lines 25-31 state that the flow chart in Figure*

*12 corresponds to step S6 in the flow chart of Figure 3. As can be seen in Figure 3, the entirety of the process, which includes calculating and storing the initial short-cut path and all the deviation-expected paths, takes place before the mobile objects departs).*

As to claim 8, Ito further shows detecting the present position of the mobile object 104.

As to claim 9, Ito further shows that both navigation path and revised path can be outputted in either audio 107, or video 106.

As to claim 10, Ito further shows that the revised path is selected by determining which of the deviation path includes the present position (col 25, line 52 – 55).

As to claim 11, Ito further shows that all path data is stored in a memory 103.

### ***Response to Arguments***

3. Applicant's arguments filed 6/18/2009 have been fully considered but they are not persuasive. Applicant's amendments to claimed invention do not put claims into status for allowance. As demonstrated above, Applicant's claimed invention is still

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anticipated by prior art: column 21, line 53 to column 22, line 49 describes the "Second Modification" to the specified invention, namely the process of precalculating deviation expected paths and storing said paths in memory before the mobile object deviates from the path and providing the updated path after the mobile object deviates so that said object can still arrive at the destination. Column 22, line 10-11 state that the process for this Second Modification may be carried out between Steps S61 and S62 of the flow chart in Figure 12. Column 20, lines 25-31 state that the flow chart in Figure 12 corresponds to step S6 in the flow chart of Figure 3. As can be seen in Figure 3, the entirety of the process, which includes calculating and storing the initial short-cut path and all the deviation-expected paths, takes place before the mobile objects departs.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NICHOLAS KISWANTO whose telephone number is (571)270-3269. The examiner can normally be reached on Monday - Friday, 9AM - 6PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas Kiswanto

August 29, 2009

/KHOI TRAN/

Supervisory Patent Examiner, Art Unit 3664